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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-159

13 **Stephanie Ann McGowin**

14 **Address of Record:**  
15 **P.O. Box 1982**  
16 **Brewton, Alabama 36427**

**A C C U S A T I O N**

17 **Alternate Address:**  
18 **100 Lanier Street**  
19 **Brewton, Alabama 36426**

20 **Registered Nurse License No. 599234**

21 **Respondent.**

22 **Complainant alleges:**

23 **PARTIES**

24 1. Louise R. Bailey, M.Ed., R.N. ("Complainant") brings this Accusation solely in her  
25 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
26 Consumer Affairs.

27 2. On or about May 9, 2002, the Board of Registered Nursing issued Registered Nurse  
28 License Number 599234 to Stephanie Ann McGowin ("Respondent"). The Registered Nurse  
license expired on May 31, 2006 and has not been renewed.

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1 **COST RECOVERY**

2 8. Section 125.3 provides, in pertinent part, that the Board, Registrar, or Director may  
3 request the administrative law judge to direct a licentiate found to have committed a violation or  
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
5 and enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Disciplinary Action by the Florida and Alabama Boards of Nursing)**

8 9. Respondent is subject to disciplinary action under Section 2761 subdivision (a)(4)  
9 because the Florida Board of Nursing ("Florida Board") publically reprimanded and suspended  
10 her license to practice nursing in Florida in April 2007 and the Alabama Board of Nursing  
11 (Alabama Board) placed her on probation in 2006 for the same misconduct. The circumstances  
12 of the two Boards' disciplinary actions are as follows:

13 10. On or about April 26, 2007, the Florida Department of Health publically reprimanded  
14 and indefinitely suspended Respondent's Florida nursing license in a default proceeding entitled,  
15 *Department of Health v. Stephanie Ann McGowin, R.N*, case number 2006-09274 for testing  
16 positive for cocaine at a pre-employment drug screening in Century, Florida conducted on March  
17 1, 2006. The Florida Board ordered her license suspended until she enrolled and participated in  
18 its state-run substance abuse intervention program for nurses.

19 11. On or about September 22, 2006, the Alabama Board approved and accepted a  
20 settlement agreement with Respondent to resolve its case entitled *In the Matter of: Stephanie Ann*  
21 *McGowin License No. 1-089938 2-044183 (Lapsed)*, case number 2006-0576. In that agreement,  
22 the Board found and respondent agreed that she had tested positive for cocaine on the same pre-  
23 employment screening in Century, Florida in March 2006. As a result, the Alabama Board placed  
24 her license on probation for one year, contingent on her paying a fine, completing coursework on  
25 chemical dependency, abstaining from alcohol or drug use, and agreeing to random drug testing  
26 at least once-a-month for a year.

27 12. The Alabama Board cleared Respondent's probation in October 2007.

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13. In July 2011, January 2012, and June 2012, the California Board sent letters to Respondent's address of record and another address it obtained for her asking for proof of compliance with the Florida order; mitigation evidence, including letters of reference; and performance evaluations from employers. It received no response.

14. Under Section 2761 subdivision (a)(4) the public reprimand and the indefinite suspension of Respondent's Florida nursing license by the Florida Board and the placement of Respondent's Alabama nursing license on probations are grounds for the California Board to take disciplinary action.

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 599234, issued to Stephanie Ann McGowin;

2. Ordering Stephanie Ann McGowin to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code Section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: September 5, 2012 for Hance Benn  
LOUISE R. BAILEY, M.Ed., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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